

SA 7. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 316, to repeal the authorizations for use of military force against Iraq; which was ordered to lie on the table; as follows:

On page 2, line 10, insert “30 days after the Director of National Intelligence submits to Congress an unclassified certification that there are no longer any threats in or emanating out of Iraq to United States persons and personnel by Iranian-backed militias and proxies” after “hereby repealed”.

SA 8. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 316, to repeal the authorizations for use of military force against Iraq; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 3. REMEDIES FOR MEMBERS OF THE ARMED FORCES DISCHARGED OR SUBJECT TO ADVERSE ACTION UNDER THE COVID-19 VACCINE MANDATE.

(a) **LIMITATION ON IMPOSITION OF NEW MANDATE.**—The Secretary of Defense may not issue any COVID-19 vaccine mandate as a replacement for the mandate rescinded under section 525 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 absent a further act of Congress expressly authorizing a replacement mandate.

(b) **REMEDIES.**—Section 736 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 10 U.S.C. 1161 note prec.) is amended—

(1) in the section heading, by striking “**TO OBEY LAWFUL ORDER TO RECEIVE**” and inserting “**TO RECEIVE**”;

(2) in subsection (a)—

(A) by striking “a lawful order” and inserting “an order”; and

(B) by striking “shall be” and all that follows through the period at the end and inserting “shall be an honorable discharge.”;

(3) by redesignating subsection (b) as subsection (e); and

(4) by inserting after subsection (a) the following new subsections:

“(b) **PROHIBITION ON ADVERSE ACTION.**—The Secretary of Defense may not take any adverse action against a covered member based solely on the refusal of such member to receive a vaccine for COVID-19.

“(c) **REMEDIES AVAILABLE FOR A COVERED MEMBER DISCHARGED OR SUBJECT TO ADVERSE ACTION BASED ON COVID-19 STATUS.**—At the election of a covered member discharged or subject to adverse action based on the member’s COVID-19 vaccination status, and upon application through a process established by the Secretary of Defense, the Secretary shall—

“(1) adjust to ‘honorable discharge’ the status of the member if—

“(A) the member was separated from the Armed Forces based solely on the failure of the member to obey an order to receive a vaccine for COVID-19; and

“(B) the discharge status of the member would have been an ‘honorable discharge’ but for the refusal to obtain such vaccine;”

“(2) reinstate the member to service at the highest grade held by the member immediately prior to the involuntary separation, allowing, however, for any reduction in rank that was not related to the member’s COVID-19 vaccination status, with an effective date of reinstatement as of the date of involuntary separation;

“(3) for any member who was subject to any adverse action other than involuntary separation based solely on the member’s COVID-19 vaccination status—

“(A) restore the member to the highest grade held prior to such adverse action, al-

lowing, however, for any reduction in rank that was not related to the member’s COVID-19 vaccination status, with an effective date of reinstatement as of the date of involuntary separation; and

“(B) compensate such member for any pay and benefits lost as a result of such adverse action;

“(4) expunge from the service record of the member any adverse action, to include non-punitive adverse action and involuntary separation, as well as any reference to any such adverse action, based solely on COVID-19 vaccination status; and

“(5) include the time of involuntary separation of the member reinstated under paragraph (2) in the computation of the retired or retiree pay of the member.

“(d) **RETENTION AND DEVELOPMENT OF UNVACCINATED MEMBERS.**—The Secretary of Defense shall—

“(1) make every effort to retain covered members who are not vaccinated against COVID-19 and provide such members with professional development, promotion and leadership opportunities, and consideration equal to that of their peers;

“(2) only consider the COVID-19 vaccination status of a covered member in making deployment, assignment, and other operational decisions where—

“(A) the law or regulations of a foreign country require covered members to be vaccinated against COVID-19 in order to enter that country; and

“(B) the covered member’s presence in that foreign country is necessary in order to perform their assigned role; and

“(3) for purposes of deployments, assignments, and operations described in paragraph (2), create a process to provide COVID-19 vaccination exemptions to covered members with—

“(A) a natural immunity to COVID-19;

“(B) an underlying health condition that would make COVID-19 vaccination a greater risk to that individual than the general population; or

“(C) sincerely held religious beliefs in conflict with receiving the COVID-19 vaccination.

“(e) **APPLICABILITY OF REMEDIES CONTAINED IN THIS SECTION.**—The prohibitions and remedies described in this section shall apply to covered members regardless of whether or not they sought an accommodation to any Department of Defense COVID-19 vaccination policy on any grounds.”.

SA 9. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 316, to repeal the authorizations for use of military force against Iraq; which was ordered to lie on the table; as follows:

On page 2, line 3, strike “The Authorization” and insert the following:

(a) **FINDINGS.**—Congress makes the following findings:

(1) Article II of the United States Constitution empowers the President, as Commander-in-Chief, to direct the use of military force to protect the Nation from an attack or threat of imminent attack.

(2) This authority empowers the President to use force against forces of Iran, a state responsible for conducting and directing attacks against United States forces in the Middle East and to take actions for the purpose of ending Iran’s escalation of attacks on, and threats to, United States interests.

(3) The Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107-243; 116 Stat. 1498; 50 U.S.C. 1541 note) is not independently required to authorize the activities described in paragraphs (1) and (2).

(b) **REPEAL.**—The Authorization

SA 10. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 316, to repeal the authorizations for use of military force against Iraq; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 3. ASSESSMENT OF EXISTING LARGE POWER TRANSFORMERS.

The Secretary of Energy, in consultation with the Secretary of Defense, shall conduct an assessment of existing large power transformers in the United States, identify Government resources that could be leveraged to enhance the domestic manufacturing of large power transformers, and identify any authorities needed to provide such assistance.

SA 11. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 316, to repeal the authorizations for use of military force against Iraq; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 3. ANY WORLD HEALTH AGENCY CONVENTION OR AGREEMENT OR OTHER INTERNATIONAL INSTRUMENT RESULTING FROM THE INTERNATIONAL NEGOTIATING BODY’S FINAL REPORT DEEMED TO BE A TREATY SUBJECT TO ADVICE AND CONSENT OF THE SENATE.

(a) **SHORT TITLE.**—This section may be cited as the “No WHO Pandemic Preparedness Treaty Without Senate Approval Act”.

(b) **FINDINGS.**—Congress makes the following findings:

(1) On December 1, 2021, at the second special session of the World Health Assembly (referred to in this section as the “WHA”) decided—

(A) to establish an intergovernmental negotiating body (referred to in this section as the “INB”) to draft and negotiate a WHO convention (referred to in this section as the “Convention”), agreement, or other international instrument on pandemic prevention, preparedness, and response, with a view to adoption under article 19 or any other provision of the WHO Constitution; and

(B) that the INB shall submit a progress report to the Seventy-sixth WHA and a working draft of the convention for consideration by the Seventy-seventh WHA, which is scheduled to take place beginning on March 18, 2024.

(2) On February 24, March 14 and 15, and June 6 through 8 and 15 through 17, 2022, the INB held its inaugural meeting at which the Director-General proposed the following 5 themes to guide the INB’s work in drafting the Convention:

(A) Building national, regional, and global capacities based on a whole-of-government and whole-of-society approach.

(B) Establishing global access and benefit sharing for all pathogens, and determining a global policy for the equitable production and distribution of countermeasures.

(C) Establishing robust systems and tools for pandemic preparedness and response.

(D) Establishing a long-term plan for sustainable financing to ensure support for global health threat management and response systems.

(E) Empowering WHO to fulfill its mandate as the directing and coordinating authority on international health work, including for pandemic preparedness and response.

(3) On July 18 through 22, 2022, the INB held its second meeting at which it agreed that the Convention would be adopted under